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12 Attorney for Plaintiff  
13 ALEX KHASIN

14  
15 UNITED STATES DISTRICT COURT  
16 NORTHERN DISTRICT OF CALIFORNIA  
17 SAN FRANCISCO DIVISION

18  
19 ALEX KHASIN, on behalf of himself and all others ) CASE NO. CV12-02204-JSW  
similarly situated, )  
20 )  
21 Plaintiff, ) **CLASS ACTION**  
v. )  
22 )  
23 R.C. BIGELOW, INC., ) **STIPULATION RE: BRIEFING**  
24 ) **AND HEARING SCHEDULE ON**  
Defendant. ) **MOTION TO DISMISS AMENDED**  
25 ) **COMPLAINT; CONTINUANCE OF**  
26 ) **CASE MANAGEMENT**  
27 ) **CONFERENCE**  
28 )  
\_\_\_\_\_  
Judge: Hon. Jeffrey S. White  
Action Filed: May 2, 2012

1 Pursuant to Civil Local Rules 6-1(a) and 16-2(e), and the Standing Orders of this Court,  
 2 Plaintiff Alex Khasin, on behalf of himself and all others similarly situated (“Plaintiff”), and  
 3 Defendant R.C. Bigelow, Inc. (“Bigelow”), through their undersigned counsel, hereby move and  
 4 stipulate as follows:

5 WHEREAS, this action was filed in this Court on May 2, 2012;

6 WHEREAS, Bigelow was served with the summons and Plaintiff’s complaint (the  
 7 “Complaint”) on May 18, 2012;

8 WHEREAS, on July 31, 2012, Bigelow filed a Motion to Dismiss, Or In The Alternative,  
 9 Motion to Strike the Complaint;

10 WHEREAS, on August 21, 2012, Plaintiff filed his Amended Complaint for Damages,  
 11 Equitable and Injunctive Relief (“Amended Complaint”);

12 WHEREAS, on September 18, 2012, Bigelow filed a Motion to Dismiss, or in the  
 13 Alternative, Motion to Strike the Amended Complaint;

14 WHEREAS, on October 15, 2012, the Court struck Bigelow’s Motion, without prejudice,  
 15 for not seeking leave of court to file an oversized brief;

16 WHEREAS, on October 23, 2012, the parties filed a Joint Stipulation for Administrative  
 17 Relief to Exceed Page Limitations on Motion to Dismiss Amended Complaint;

18 WHEREAS, on October 26, 2012, the Court granted the parties’ Motion for  
 19 Administrative Relief to Exceed Page Limitations on Motion to Dismiss Amended Complaint;

20 WHEREAS, Bigelow anticipates the filing of a Motion to Dismiss, or in the Alternative,  
 21 Motion to Strike the Amended Complaint, and the parties have stipulated and agreed to a  
 22 briefing and hearing schedule for said motion, and have further stipulated and agreed to continue  
 23 the Case Management Conference, currently scheduled for December 14, 2012, until after the  
 24 hearing of said motion.

25 IT IS HEREBY STIPULATED AND AGREED by the parties, through their counsel, that  
 26 pursuant to Local Rules 6-1(a) and 16-2(e):

27 1. Bigelow’s Motion to Dismiss, or in the Alternative, Motion to Strike the

Amended Complaint shall be due on or before **December 7, 2012**;

2. Plaintiff's opposition papers shall be due on or before **January 11, 2013**;
3. Bigelow's reply papers shall be due on or before **January 18, 2013**;
4. Bigelow's Motion to Dismiss, or in the Alternative, Motion to Strike the

Amended Complaint shall be heard on **February 8, 2013**, or as soon thereafter as the Court's calendar permits; and

5. The Case Management Conference, currently set for December 14, 2012 at 1:30 p.m., shall be continued to **March 8, 2013 at 1:30 p.m.**, or as soon thereafter as the Court's calendar permits.

IT IS SO STIPULATED.

Dated: November 26, 2012

MILES D. SCULLY  
TIMOTHY K. BRANSON  
JONI M. BORZCIK  
GORDON & REES LLP

By: /s/ Timothy K. Branson  
TIMOTHY K. BRANSON

Attnorneys for Defendant  
R.C. BIGELOW, INC.

Dated: November 26, 2012

BEN F. PIERCE GORE  
PRATT & ASSOCIATES

By: /s/ Ben F. Pierce Gore  
BEN F. PIERCE GORE

Attorney for Plaintiff

1                   **ECF ATTESTATION**

2                   I , Timothy K. Branson, am the ECF User whose ID and password are being used to file  
3 the following: **STIPULATION RE: BRIEFING AND HEARING SCHEDULE ON**  
4 **MOTION TO DISMISS AMENDED COMPLAINT; CONTINUANCE OF CASE**  
5 **MANAGEMENT CONFERENCE.** In compliance with Civil Local Rule 5-1, I hereby attest  
6 that Ben F. Pierce Gore has concurred in this filing.

7 Dated: November 26, 2012

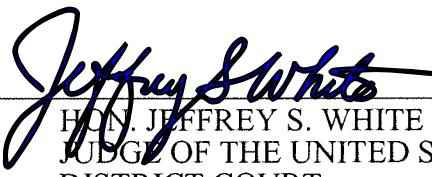
8                   TIMOTHY K. BRANSON  
9                   GORDON & REES LLP

10                  By: /s/ Timothy K. Branson  
11                  TIMOTHY K. BRANSON

13                   **ORDER**

14                  PURSUANT TO STIPULATION, IT IS SO ORDERED.

15                  December 3, 2012  
16 Dated: \_\_\_\_\_

17                    
18                  HON. JEFFREY S. WHITE  
19                  JUDGE OF THE UNITED STATES  
20                  DISTRICT COURT